



Adam L. Schwartz
aschwartz@homerbonner.com
305 350 5116

July 27, 2020

VIA ECF

Hon. Ronnie Abrams
United States District Court
Southern District of New York
40 Foley Square, Room 2203
New York, NY 10007

Re: *Conneaut Creek Ship Repair, Inc. v. Versitec Marine Services, Inc. d/b/a Versitec Marine & Industrial*, Case No. 1:20-cv-03435-RA (S.D.N.Y.), Motion for Adjournment of Court Deadlines

Dear Judge Abrams:

In light of the fact that the parties have entered into significant settlement discussions, Plaintiff Conneaut Creek Ship Repair, Inc. ("Conneaut Creek"), respectfully requests a sixty (60) day adjournment of all Court deadlines and hearings.

On May 1, 2020, Conneaut Creek filed its initial complaint against Defendant Versitec Marine & Industrial, a Canadian entity, alleging breach of contract, account stated, and unjust enrichment [ECF No. 1]. Conneaut Creek amended its complaint three days later to specify the corporate entity it believed was doing business as Versitec Marine & Industrial [ECF No. 6]. Conneaut Creek served that entity on May 7, 2020 [ECF No. 11].

On May 8, the Court issued its order requiring the parties to provide a case summary, proposed case management plan, and scheduling order by July 31, 2020 and setting a status conference for August 7, 2020 at 12:15 p.m. [ECF No. 10]. On June 2, 2020, the Clerk of Court issued a Clerk's Certificate of Default [ECF No. 15], and on the same day undersigned counsel served Defendant via email and FedEx the Court's May 8, 2020 Order and the Clerk's Certificate of Default.

Subsequent to said service, Conneaut Creek learned that the entity operating as Versitec Marine & Industrial was placed under receivership by the Ontario Superior Court of Justice.

Case No. 1:20-cv-03435-RA

Page 2

The parties also began settlement discussions. The parties have made progress to resolve the matter; however, given issues related to COVID-19, the cross-border nature of the negotiations, and the fact that any settlement requires approval by the receiver and perhaps the Ontario Superior Court of Justice, Conneaut Creek respectfully requests that all deadlines and hearings be adjourned for sixty (60) days. The Defendant consents to the relief requested. This is the first request for an adjournment of the Court's deadlines. A proposed order is enclosed.

Respectfully submitted:



1200 Four Seasons Tower
1441 Brickell Avenue
Miami Florida 33131
Phone: (305) 350-5116
Fax: (305) 372-2738

By: s/ Adam L. Schwartz
Adam L. Schwartz, Esq.
N.Y. Bar No. 4288783
Email: aschwartz@homerbonner.com

and

O'ROURKE & LAWLOR
John E. Lawlor, Esq.
129 Third Street
Mineola, New York
Phone: (516) 248-7700
Fax: (516) 742-7675
Email: jlawlor@johnelawlor.com

Attorneys for Plaintiff Conneaut Creek Ship Repair, Inc.

Enclosure